

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAIME MOINA, *Individually and on Behalf of
Others Similarly Situated*,

Plaintiff,

-against-

PJETRO JUNCAJ HOME IMPROVEMENT
INC. and PJETRO JUNCAJ,

Defendants.

USDC SDNY
DOCUMENT
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DOC #:
DATE FILED: 6/18/2024

22-cv-7014 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

This case has been open on my docket for nearly two years. The Court has already issued an Order To Show Cause why it should not be dismissed for failure to prosecute [ECF No.8] and granted Plaintiff numerous extensions of time to amend [ECF Nos. 22, 24, 26, 28, 30]. Defendants have filed an answer [ECF No. 38], and this case must proceed expeditiously.

IT IS HEREBY ORDERED that the parties shall immediately commence discovery, if not already commenced, including the exchange of initial disclosures, as set forth in Federal Rule of Civil Procedure 26.

IT IS FURTHER ORDERED that within 14 days of this Order the parties shall meet and confer to discuss the possibility of settlement for at least one hour.

IT IS FURTHER ORDERED that by July 8, 2024 the parties shall file on ECF a Joint Letter and Proposed Case Management Plan, as described in the Court's Individual Rules of Practice in Civil Cases. The joint letter may not exceed 6 pages and must include the following:

1. A brief statement of the nature of the case, the principal claims and defenses, and the major legal and factual issues that are most important to resolving the case;
2. A brief statement by the plaintiff, or by the defendants in removed cases, as to the basis

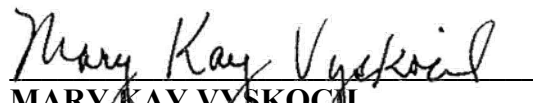
of subject matter jurisdiction and venue, and a brief statement by each other party as to the presence or absence of subject matter jurisdiction and venue. Statements shall include citations to relevant statutes. In cases invoking the Court's diversity jurisdiction, the parties should state both the place of incorporation and the principal place of business of any party that is a corporation, and the citizenship of all members, shareholders, partners, and/or trustees of any party that is a partnership, limited partnership, limited liability company, or trust;

3. A statement of procedural posture, including
 - a. A brief description of any (i) motions that have been made and decided, (ii) motions that any party seeks or intends to file, including the principal legal and other grounds in support of and opposition to the motion, (iii) pending motions and (iv) other applications that are expected to be made at the conference;
 - b. A brief description of any discovery that has already taken place, and a brief description of any discovery that the parties intend to take in the future; and
 - c. A statement describing the status of any settlement discussions and whether the parties would like a settlement conference; and
4. Any other information the parties believe may assist the Court in resolving the action.

Failure to comply with court orders and move this case towards resolution may result in sanctions, including dismissal for failure to prosecute.

SO ORDERED.

**Date: June 18, 2024
New York, NY**


MARY KAY VYSKOCIL
United States District Judge